Previous references.

G. O. No 3576-24 dt/17-8-04.
Mwz:

File No. 89
of/1903-04.

V

1904

(III- Police etc.) P-1

Later references.

File No 97-of03-04, File Nov 1904
Pol 142-37 (1 to 7)
Nil
Mar 322-27

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 4

PART B FOR November 1904

SUBJECT.

Procession of Sri Gangadhareswara Swami of Gavipur through Bangalore Petta.

FILE No. 89 of 1903-04.

Procession of Sri Gangadhareswaraswami of Gavipur temple through the streets of Bangalore Petta.

1 From Chikkabasanna, Toddy Contractor, Bangalore City, petition dated 21st June 1904.
Complains against the orders of the Assistant Superintendent of Police, Bangalore, and the Deputy Commissioner, Bangalore, prescribing certain objectionable routes for carrying the procession through the Bangalore City, and prays that he may be allowed to take the procession through any public street he may like.

2 To the Deputy Commissioner, Bangalore, memo. No. J. 89, dated 14th July 1904.
Forwards Serial No. 1, for a very early report.
Endorsement to the petitioner, No. J. 88, dated 14th July 1904.
Informs him accordingly.

G. R. S. 58.

No. 3516-24—Mnz., dated the 17th May 1904

G.R.S. 11] 1904-05.

GENERAL AND REVENUE SECRETARIAT.

(~~Courts~~) Police Magrau) -

NOTES.

File No. 890 of 1903-04

FILE HEADING.

Procession of Sri Prasanna Gangadhara. vara Swami of Gavipura Temple, Bangalore.

From

Chicka Basanna. Todty Contractor Bangalore City

No. Reg 2857 Dated 21st June 1904 Received 21. 6. 04

Diary No. 1524. | Enclos. Duo Spare Copies. | Serial No. /

BRIEF ABSTRACT OF LETTER.

Complains against the orders of the Deputy Commissioner, Bangalore District, and of the Asst. Supdt. of Police, Bangalore, prescribing certain objectionable routes for carrying the Swami in procession thro' the Bangalore City

Record in B. 11-11-04

NOTES AND ORDERS.

1 The Government in their order No. 3576-24 dated the 17th May last granted the Petitioner permission to take the Deity in procession from the Gavipura Temple to the Sampigehalli tank to celebrate a Teppotsavam at the

NOTES—First sheet.

MGCPB—5,000—18-5-04

General and Revenue Secretariat.

File No. 89 of 1903-04

Serial No.

petitioner's Cost but did not lay down any particular streets thro which alone the procession should travel On the petitioner applying to the Asst. Superintendent of Police to allow the procession to be carried through certain particular streets, that officer fixed certain other routes including Sangamacherry which the petitioner says is a place mostly inhabited by Pariahs and as such the deity cannot be taken in procession through the same The Petitioner now requests that he may be permitted to conduct the procession thro' any one of the following routes:-

From Arlepet Chowki to Sampigekalli tank thro' Dalak Cutcherry road, or

From Seeni Vasachariar's road to Chickpet and thence thro' Nagarathpet or

From Avenue Road to Nagarathpet or

he may be allowed to pass through any public street and should not be restricted of his right to do so

No. 16 1-7-04

Submitted for orders

2 To the D C

1-7-04

Note—Contn. sheet.

MGGP 6-4000—19-5-01

G.R.S.-J.2]

General and Revenue Secretariat.

File No. 89 of 1903 04

Serial No.

3. Hon appointed to ascertain the wishes of the Govt in respect of Policing the Dy Comm's is the proper authority to whom the Brown instructions by appointed in the Administration, the endorsement to that effect to Mr Comm Brown,

S/Y

4. This is more a General administrative arising out of a Departmental working question than a police question, & as such the file should, I think, have been submitted by the Dte Branch. The order already passed by Govt proceeds on broad lines that public streets are common to all any body that sets up any claim thereto should establish it in courts of law. But the order passed by the Police Authorities

As this is the first time that this case has come before me I submit my opinion now

It has since been arranged for the files being sent to the Commissioners here &c.

NOTE—Contn. sheet.

MG. P.W.—10 000-19-5-04.

apparently with the approval of the Govt (Vide the latter's endorsement No 1572 of the 9th June 1904) prescribes particular routes (thereby curtailing the privilege of the petitioner to go thro other streets) & in effect militates against the orders of Govt & slights the petitioner in the predicament which compelled him to seek redress at the hands of Govt when they passed the orders referred to dated the 17th May 1904.—

Submitted to the Dewan Saheb for orders.

6-7-1904

99
6-7-04

193
Send with draft cover postcard enclosed

12·VII·04

To Branch III

draft-accd

14·7·1904

Ordd with a draft Memorandum & endorsement.

SR 14/7/04 14-7-04

General and Revenue Secretariat.

File No. 89 of 1903-04

Serial No.	
1.	Office Memo No. 89-89-J dated the 14th July 1904 to the Dy Comr, Bangalore Calling for a report in the matter. Endorsement No. 88-89-J d. the 14th July 1904 to the Petr intimating the above
3.	Letter No. 289 dated the 5th October 1904 from the Dy Comr. Bangalore District, submitting a report as called for with the records of the case. 5. The Dy Comr reports that the route was fixed under the discretionary power vested in the Dt. Magistrate to regulate the processions of the kind having in view the entire circumstances of the case and that if the present route is objectionable from sentimental reasons he will select from some other route, viz, the parallel road to the Avenue road which joins itself to Nagarathpet just above the Doddapet Chowk 6. Subd for orders The Counter-petition against

NOTE—Contn. sheet.

SW

MGCPB—10,000—19-4-04

G.R.S. 12]

General and Revenue Secretariat.

File No. 89 of 1904-05

Serial No.

the grant of a licence to Ghulbasanna for carrying the procession to pending disposal (vide linked file portion)

SW
15-10-04

7. An Endt may be given to the Petr. that it is for the ~~Dept~~ Local authorities to fix a route for the procession so as to avoid all chances of a disturbance of the peace; that his contention to be allowed to take a particular route, irrespective of considerations affecting the public peace, ~~cannot~~ cannot be accepted; but that, as the Dep^{t} Com^{r} reports that it is possible to select some other route than the one objected to by the Petr that is likely to satisfy his reasonable requirements, he needs apply to that Office for necessary steps being taken in the matter

8 Another Endt to the opposite party

NOTE—Contn. sheet.

MGCPB—10,000—19-4-04

G.R.S. 12]

General and Revenue Secretariat.

File No. 89 of 1904-05

Serial No.

Kaq 7.

Letter (Nagappa & Others), rejecting their petition as opposed to G.O. order No. 3516-24 dy the 17th May 1904, for a reconsideration of which no reason exist.

I Put up 2 drafts accdy.
Copy. to Dy Cr with ref to this letter
under disposal 16.10.04

Cr. Subd with draft endorsement as
ordered
17/10/04 Sd/- 18.10.1904

II. Submitted to the Diwan Saheb
thro the [redacted] Councillor. My humble
& &
opinion has been submitted above.
The appellant wants to take the
proceedings thro the Dodda Petta,
but the Dy Collr seems to be
inclined to allow him to take it
thro Arkalgud &
19.10.1904

I do not think what is meant

Recd X
21-10-04

19.10.1904

Note.—Contn sheet.

MGCPB—10,000—31-8-04.

General and Revenue Secretariat.

File No. 89 of 1904-05

Serial No.

12. Alag Routh forwarded & the Dy Comm must- the followed Petn comm- leaving all his own way. draft to may be approved

25/10/04

29.10.1904 2595

13. Mr Venkatarama Raju suggested that the road is not open works - & does not want interference with the District Mag's discretion

24/28/29 10.04

(Please see also Devan's order in the previous page)

Dr. 8.XI.04 (Reid)

14. Issue draft ~~as~~ passed please

10.11.1904

15. Issued

17/11/04

4 To Petitioner Chukka Basappa, referring him to the local authorities who will possibly select some other route for the diversion than the one objected to

5. To Commissioner, Nagappa & state that no reason exists for a reconsideration of G.O.

No. 3576-24 dt 17-11-04.

Note.—Contn sheet.

MGCPB—10,000—31-8-04.

File No 89 of 03-04 of 1924

SC: 210 / 1903-04

No. 2857

Name of Petitioner Chikkabasamma
Jodday contractor

Village

Taluk Bangalore

District

Date of Arzi 21-6-04

Date of Receipt Do

Date of Disposal

No. of Enclosure 2

ABSTRACT

The petn. complains of the order of the Asst. Supt. of Police, Bangre Dt., preventing the route through Gangamma cherry, Bangalore City, for the procession of Sri Gangadharaswara Swami of Sanipur. The petn. suggests 3 routes for the procession, and prays that one of them may be approved

GCPB—1000—17-04

MYSORE DEWAN'S OFFICE.

JUDICIAL DEPARTMENT.

No. 89-(89 of 1903-1904)

OFFICIAL MEMORANDUM.

The accompanying Petition No. 2867 C
dated the 21st June 1904 received ~~at the~~
~~Dewan's Office~~ from Chickabasanah, Toddy
Contractor, Bangalore appealing
against the order [redacted] Supt of
Police prescribing certain routes
for the procession of Sri Ganga-
dharaswami of Gavipur ~
[redacted]
is forwarded, together with its two enclosures
enclosures, to the Dy. Comr. of the ~
Bangalore District for a ~
very early report.

Gns
15-7-04

By order,

(Sd). B K V

Secretary.

BANGALORE,

The 14 July 1904

~~To~~

Govt Secretariat.

MYSORE ~~DEWAN'S OFFICE~~,

JUDICIAL DEPARTMENT,

No: 88-(8906 4903-04)

9

The 14 July 1904

ENDORSEMENT GRANTED TO Chicka Basannah, Todi Contractor, Bangalore.

in reply to his Petition Registered No. 2867 dated the 28 June 1904, appealing against the order of the Asst Supt of Police prescribing certain routes for the procession of Sri Gangadhareswami of Gavipuram.

Petitioner is informed that his petition with its enclosures has been forwarded to the ~ By Commissioner, Bangalore, for report

By Order,

(Sd) B.K.S

~~C.S.~~ Secretary.

III
Genl Misc
Police

Mr Nagappa M

S No 1904-05 F 777

From

The Dy Commissioner
Bangalore Dt

To

The Secy to the Govt
of Mysore.
Rev: and Genl Depts.

Dated 5th
Despatched 7th } Oct 04.
Received

General No.

S No. 289

Enclosure No. OW Cdgs 12 files

Secy's No 89-(89 of 1903-04) of
the 5th July 1904.

Submits report on the appeal
of Chikkabasanna, Toddy
Contractor Bangalore City in the
matter of the route prescribed
by the Asst Supdt of Police for the
procession of Sree Gangadhara
Swamii of Gavipuram

4 1777 File No 89 of 1903-04 File No 8

SW No 289 Encumbrance files

Bangalore District,

Deputy Commissioner's Office,

Bangalore 5th October 1904.

From,

D.Devaraja Urs, Esquire,

Deputy Commissioner,

Bangalore District.

To,

B.K.Venkatavaradaiyengar, Esquire,

Secretary to the Government of Mysore,

General and Revenue Departments,

Bangalore.

Sir,

With reference to your No.89-(89of 1903-1904)/J dated the 14th July 1904, calling for a report on the appeal petition of Chikbassanna, Toddy Contractor, Bangalore City, in the matter of route prescribed by the Assistant Superintendent of Police, Banagalore, for the procession of Sri Gangadhareshvara Swami of Gavipur, I have the honor to report that the said route was prescribed by the Assistant Superintendent of Police in accordance with my instructions conveyed to him in the matter. I beg to submit, herewith, copy of my Office memo dated the 8th June - 1904, in which the facts of the case are set forth. It - will appear from this memo and from my report No.930 dated the 3rd May 1904, that the petitioner Chikbassanna wanted the procession to be carried through the streets objected to not only by the 18 Pana people, but also by the people of his own Pana, Viz, 9 - Pana. It was clear from the records in the matter that this quarrel was an old one - and though it has not been the intention of the appellant to open an old quarrel, it was found from enquiry that the quarrel could not be settled amicably and that if the appellant was permitted to take the procession through the streets

objected

objected to, there would be unnecessary disturbance of the peace. The question at issue was the fulfilment of a vow -- which the appellant had made at a time of his illness, to conduct the Theppotsawam of Swami Gangadhareshwara. In obe- dience to Government order No.3516-24 dated the 17th May 1904 permission was granted to conduct the procession, but a route was fixed under section 27 of the Police Regulation having in view the likelihood of disturbance of peace if the said pro- cession was allowed to be conducted in the other streets. Con -sidering that the old custom was under the modern views, be- ing deviated from for the first time after a long and undecid -ed quarrel, it was considered expedient not to rouse the -- feelings of the people, when there was the means for carrying out the vow of the appellant without an unnecessary disturban -ce. I beg to submit that it was no part of the vow of the ap pellant to take the procession in a particular street secur- ing an opportunity for the devotees to offer their worship to the God. The route has been fixed under the discretionary pow -er vested in the District Magistrate to regulate the proces- sions of the kind having in view the entire circumstances of the case.

As an objection to the route now fixed, the appel- lant states that in the course of the route beyond the Bamboo Bazaar, there are Mahomadans and other objectionable class of people residing in it. For that matter it may be stated here that soon after the Gavi Gangadhareshwara Swami leaves its Temple in Gavipur, the procession has necessarily to pass - some objectionable quarters. This is a time in which a mixed population of different kinds occupies the same centres and streets. In that way perhaps every street will be an objec- tionable one.

I venture to submit that the appellant cannot insist on a particular route. If the route now fixed is objectionable from sentimental reasons, some other route will be selected by me having

6

having of course the circumstances in consideration. As for instance there is a parallel road to the Avenue road which opens itself to Nagarathpet just above the Doddapett Chowk. This part of the route may be substituted to that via Bamboo Bazaar, the rest remaining as it is now fixed. Such a route will satisfy all circumstances involved in the case.

The records connected with the subject are, herewith, submitted.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner,

Bangalore District.

H.S.

Official Memorandum.

One Nagarath Chikbassanna applied to the Superinten-dent of Police for a license to take Sri Gavi Gangadhareshwa-ra Swami in procession through some streets which are said to be streets of Desada people otherwise known as 18 Pana peo-ple, for a teppotsavam in the Sampigehalli tank. As this Chik-bassanna belonged to the 9 Pana people, the Ejman and setty of the 18 Pana people objected to the granting of the license. The Superintendent of —— Police therefore gave an endorsement to the petitioner directing him first to obtain permission - from the Muzrai Department to take the God out from the Tem-ple for the procession.

The petitioner then went up to Government praying for the said permission and his petition was trnsferred to - the Deputy Commissioner for disposal and report of the result. The Deputy Commissioner Mr. Sparkes reported that the license could not be granted as it was learnt from enquiry that this dispute between the 18 and 9 Pana people was old and long standing and that the granting of the license was likely to cause the breach of the peace.

Thereupon the Government called for a further re-port in detail on certain points. The City Magistrate who was directed to enquire and report on the matter, did so. His re-port was then submitted to Government with the opinion of the Deputy Commissioner. The Government has in the Muzrai, —— Pro-ceedings No.3516-24 dated the 17th May 1904, ordered that, in the exercise of his natural rights, the petitioner Chikbas sanna is entitled to take the God for procession and that the District Magistrate and the Police under him should regulate the procession in accordance with the circumstances of the -- particular occasion.

On receipt of the above order, the Superintendent of Police was dircted to submit the names of several routes - through which the procession has to pass to go to the Sampige-halli tank which he has done in his memo dated the 23rd May

May 1904. He has therein suggested four routes for the three of which he considers that very elaborated Police arrangements are to be made. One of these is the route through which the petitioner proposes to take the procession. From the suggestion of the Police Superintendent about elaborate Police arragements, it is clear that he apprehends a breach of peace.

It also came to my notice that there was some agitation among the 18 Pana people shewing some signs of a strike by closing their shops &c. With a view to ascertain the truth of this, the Amildar and the City Inspector were directed to make confidential enquiries on the matter and their report was to the effect that there was every likelihood of a disturbance on some considerable scale almost amounting to a strike. I had also a talk with leading men of both parties which too convinced me that the matter was a very sensational one and would lead to a serious excitement among a large class of people and as such needed a cautious prcedure on the part of the authorities responsible for the public peace.

But this question of the breach of peace apart, there are other points which need greater consideration in this connection, and that is, the petitioner wants the license to be issued in his name, but the Ejaman and others of his own community (9 Pana people) have petitioned to me objecting to the granting of the license in his name as he is neither the Ejaman nor the Shetty of the community. It is against mamool they say to issue license in the name of any person other than the head of the community.

The Ejaman or Shetty is generally a man of influence and commands greater respect with his people. Hence it seems highly undesirable to unnecessarily wound the feelings not only of the 18 Pana people but also of 9 Pana people for the sake of one individual who, I am convinced from the enquiries I made, has purposely been urging for the license to be issued in his name and for taking the procession in a definite route only which, to his knowledge, is prohibited from a long time.

I

I think it is enough if the petitioner is afforded facilities for the fulfilment of his vow. Therefore the temple in question being a Muzrai institution, the Amildar shall be directed to arrange for the procession from the Muzrai Department on the day on which the petitioner applies for it.

As regards the route through which the procession is to go it is immaterial for the petitioner which that route is so long as his vow is fulfilled.

Under the peculiar circumstances of this case, the following route is ordered:- under Section 27 of the Police Regulations.

To start from Gavipur, pass through the public street going by the side of Mr.K.P.Puttannachetty's Bungalow, thence pass straight on to the 1st road in Chamaraja Pet and turning to the right pass through the western and northern fort gates, go to the market chowk, turn to the right and pass on through the Bamboo Bazaaar to the road to the left of the Weslyan Mission School and arrive at Sampigehally Tank and the same route to be used on return journey also.

The Superintendent of Police shall make the necessary Police arrangements on the occasion.

Sd./ D.Devaraja Urs

8th June 1904. Deputy Commissioner.

" Copy "

H.S. Deputy Commissioner.

2 Dwg Pl. Sl. No 4 10

Endorsement

No J 1193 Police 89-6-03-04 9/11/11/04

Endorsement granted to Chikkbasanna Reddy Cultivator, Bangalore City, in reply to his petition dated the 28th June 1904, appealing against the order of the Asst Supdt of Police prescribing ~~prohibiting~~ certain route for the taking of ~~the procession of~~ Sri Ganga -dharaswaraswami of Gavipuri in procession by the petitioner

Petitioner is informed that it is for the local authorities to fix a proper route for the procession so as to avoid all chances of a disturbance of the peace, that his contention to be allowed to take a particular route, irrespective of considerations affecting the public peace, cannot be

11

accepted, but that as the Deputy Commissioner reports that it is possible to select some other route than the one objected to by the Petitioner that is likely to ~~be satisfactory~~ satisfy his reasonable requirements, he should apply to that officer for needful steps being taken in the matter.

B O

18.10.04 10.11.1904 Secretary

8.XI.04

No: J 1194 Police 890/03-04 7/11/1904

Copy to the Deputy Commissioner, Bombay Police District for information & needful action, with reference to his letter No. 289 dated the 5th October 1904, the enclosures of which are herewith returned.

B O

Secretary

Copd: V.R.K. 10-11-04

Execd: 11-11-04

17/11/04

10.11.1904

101
11.11.04.